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Volterra Semiconductor Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

INFINEON TECHNOLOGIES AG,

Plaintiff,

vs.

VOLTERRA SEMICONDUCTOR
CORPORATION,

Defendant.

AND RELATED COUNTERCLAIMS.

Case No. CV-11-6239 (MMC) (DMR)

**STIPULATED REQUEST AND
~~PROPOSED~~ ORDER CHANGING
VOLTERRA'S TIME TO RESPOND
TO INFINEON'S MOTION TO
DISCLOSE CONFIDENTIAL
INFORMATION TO ITS APPOINTED
EXPERT, PETER ELENUS**

1 Defendant and Counterclaimant Volterra Semiconductor Corporation (“Volterra”)
2 Plaintiff and Counterdefendant Infineon Technologies AG (“Infineon”) and (collectively “the
3 Parties”) have conferred by and through their counsel and pursuant to Civil Local Rules 6-2 and
4 7-12, and subject to the Court’s approval, HEREBY STIPULATE AS FOLLOWS:

5 WHEREAS, on July 17, 2012, the Court entered the Parties’ Stipulated Protective Order
6 (ECF 104);

7 WHEREAS, the Protective Order requires each party to notify the other in advance of
8 disclosing documents designated “Highly Confidential - Outside Counsels’ Eyes Only” to an
9 expert witness and provide the party who designated the material confidential opportunity to
10 object;

11 WHEREAS, on August 22, 2014, Infineon disclosed to Volterra its intent to disclose
12 confidential information to Mr. Peter Elenius;

13 WHEREAS, on August 29, 2014, Volterra objected to the disclosure;

14 WHEREAS, the Protective Order requires, upon unresolved objections, the party seeking
15 to disclose confidential information to file a Motion with the Court within 5 days of the objection,
16 seeking permission to disclose the confidential information;

17 WHEREAS, on September 4, 2014 the Court extended the time for Infineon to file its
18 opening motion until September 5, 2014, pursuant to the parties’ stipulation and proposed order;

19 WHEREAS, the Parties have been negotiating additional protections that may resolve
20 Volterra’s objections to Infineon’s disclosure of confidential information to Mr. Elenius;

21 WHEREAS, the Parties mutually agree that those discussions may be useful in an effort to
22 resolve the dispute without Court intervention and mutually agree to extend Volterra’s time
23 period to respond to Infineon’s Motion To Disclose Confidential Information To Its Appointed
24 Expert, Peter Elenius; and

25 WHEREAS, set forth below are the previous time modifications in this case:

26 (a) Stipulation and Order regarding date by which Volterra may answer, move
27 or otherwise plead in response to complaint extended to March 16, 2010 (ECF No. 8);

28 (b) Stipulation and Order Extending Response and Hearing Dates re Plaintiff’s

1 Motion for Leave to Amend Its Infringement Contentions to Add Additional Model Numbers
2 (ECF No. 202).

3 (c) Stipulation Request and Order Changing Time Pursuant to Civil Local
4 Rule 6-2(A) (ECF No. 211).

5 (d) Stipulation and Order Extending Response and Hearing Dates re Plaintiff's
6 Motion for Leave to Amend Its Infringement Contentions to Add Additional Model Numbers
7 (ECF No. 218).

8 (e) Clerk's Notice Continuing Case Management Conference (ECF No. 221)

9 (f) Stipulation and Order Continuing Case Management Conference (ECF No.
10 238).

11 (g) Stipulation and Order Continuing Case Management Conference (ECF No.
12 283).

13 (h) Stipulation and Order Continuing Case Management Conference (ECF No.
14 288).

15 (i) Stipulated Request And Order Changing Time Pursuant To Civil Local
16 Rule 6-2(A) (ECF No. 334).

17
18 NOW, THEREFORE, the Parties hereby propose, stipulate and agree as follows, by and through
19 their respective counsel of record, and subject to the Court's approval, that:

- 20 1. Volterra shall have until Tuesday, September 9, 2014 to file its opposition to
21 Infineon's Motion to Disclose Confidential Information to its Appointed Expert, Peter
22 Elenius (ECF No 335).

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24
25 IT IS SO STIPULATED.
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28

Respectfully submitted,

Dated: September 8, 2014

WEIL, GOTSHAL & MANGES

By: /s/ Justin M. Lee

Justin M. Lee

Attorneys for Defendant Volterra Semiconductor
Corporation

Dated: September 8, 2014

BAKER BOTTS, L.L.P.

By: /s/ Aaron D. Davidson

Aaron D. Davidson

Attorneys for Plaintiff and Counterdefendant
Infineon Technologies AG

ORDER

Volterra shall have until Tuesday, September 9, 2014 to file its opposition to
Infineon's Motion to Disclose Confidential Information to its Appointed Expert,
Peter Elenius [Docket No. 335].

IT IS SO ORDERED.

DATED: September 9, 2014

Donna M. Ryu
United States Magistrate Judge

